

IMMEDIATE RELEASE
June 27, 2005

Contact: Micah Leydorf/Matt Lambert
202-225-2132

Istook to Defend First Amendment Despite Supreme Court Ruling *Court bans Ten Commandments in public places; Istook to offer Religious Freedom Amendment*

Washington, DC – Congressman Ernest Istook (R-OK) says he's ready to take action to protect displays of the Ten Commandments on public property, despite today's Supreme Court decision that banned them from a courthouse (*McCreary County v. the American Civil Liberties Union of Kentucky*).

“Outrage isn't enough; we've got to act,” Istook said. “Most Americans agree that the courts have gone astray, twisting the First Amendment and undermining its protection of religion and religious speech. The country expects action, not just hand-wringing.”

Istook says he's already organized 55 members of Congress to introduce the Religious Freedom Amendment, a brief 58-word constitutional amendment that would permit (but not mandate) school prayer and public property displays of the Ten Commandments, the Pledge of Allegiance, and the national motto, "In God We Trust".

“While even pornography is protected as free speech, the courts have consciously undermined religious speech and freedom of religion for years. Americans should be free to recognize our religious heritage; doing that is not the same as creating a government-sponsored religion. Those people who want to express their religious beliefs on public property should enjoy the same rights that we provide to those protesting the war in Iraq.”

“Posting the Ten Commandments in a courthouse is no different than having a cross or a Star of David on the grave markers at Arlington National Cemetery,” Istook said.

“Things have gotten out of control. The courts aren't going to stop until we stop them. Even ‘The Star-Spangled Banner’ has been challenged because one of its verses mentions God.”

“When judges overstep their boundaries, as they have here, we have only two lawful options: Either impeach the judges or amend the Constitution to reverse their rulings. Only the constitutional amendment guarantees that every judge will have no choice but to change course in the future. Also, this amendment is the only option that will reverse these awful rulings, and not leave them in place as bad precedents.”

Istook also noted that the Chief Justice has previously chided other judges, telling them they should not use the misleading phrase, “separation of church and state.” As Chief Justice William Rehnquist wrote in the 1985 case of *Wallace v. Jaffree*, the wrongful focus on that term has caused a “mischievous diversion of judges from the actual intentions of the drafters of the Bill of Rights. . . . The ‘wall of separation between church and State’ is a metaphor based on bad history, a metaphor which has proved useless as a guide to judging. It should be frankly and explicitly abandoned.”

Istook’s Religious Freedom Amendment is based on the text of a similar amendment, which in 1998 was supported by a majority vote in the U.S. House of Representatives, but did not receive the necessary two-thirds margin required for a constitutional amendment.

The Religious Freedom Amendment would add these simple words to the U.S. Constitution:

“To secure the people's right to acknowledge God according to the dictates of conscience:

“--The people retain the right to pray and to recognize their religious beliefs, heritage, and traditions on public property, including schools.

“--The United States and the States shall not establish any official religion nor require any person to join in prayer or religious activity.”